



Attorney File No: 1171/38911/80

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

In re Application of: )  
BREATHING ASSISTANCE APPARATUS )  
Group Art Unit: 3761 )  
Serial No.: 09/662,203 )  
Filed: September 14, 2000 )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 15, 2000.

*Jennifer L. Soukup*  
Jennifer L. Soukup

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL  
APPLICATION  
-- FILING DATE GRANTED --**

Assistant Commissioner For Patents  
Washington, D.C. 20231

**BOX: MISSING PART**

Sir:

The above-noted application was filed on September 14, 2000 via Express Mail. As a result of the original, executed Declaration document not being attached to said application, a Notice to File Missing Parts -- Filing Date Granted issued.

In response to the aforementioned Notice, please find enclosed herewith the following:

- a. The original Declaration and Power of Attorney for Patent Application, executed by the inventors, Nicholas Charles Alan Smith and Alastair Edwin McAuley.
- b. A copy of the aforementioned Notice to File Missing Parts of Application -- Filing Date Granted; and
- c. The undersigned firm's check in the amount of \$130.00 to cover the surcharge for filing the declaration at this time for a Large Entity.

The Commissioner is authorized to charge Deposit Account No. 20-1495 for any amount necessary to cover any additional costs associated with this Response in the event that the check mentioned above is either insufficient or lost, or to credit any overpayment.

Respectfully submitted,

Dated: November 15, 2000

By: \_\_\_\_\_  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/662,203	09/14/2000	Nicholas Charles Alan Smith	1171/38911/80

Trexler Bushnell Giangiorgi & Blackstone LTD  
105 W Adams St  
Chicago, IL 60603



**FORMALITIES LETTER**



\*OC000000005530768\*

Date Mailed: 11/03/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*S. Sohan*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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